



General Assembly

February Session, 2010

***Amendment***

LCO No. 3378

**\*SB0042803378SR0\***

Offered by:  
SEN. FASANO, 34<sup>th</sup> Dist.

To: Subst. Senate Bill No. 428

File No. 379

Cal. No. 271

***"AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH  
RELATED STATUTES."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2010*) Any allopathic or  
4 osteopathic physician, licensed under the provisions of chapter 370 of  
5 the general statutes; chiropractor, licensed under the provisions of  
6 chapter 372 of the general statutes; or natureopath, licensed under the  
7 provisions of chapter 373 of the general statutes, shall provide a  
8 discharge summary to a patient upon the performance of a procedure,  
9 adjustment or manipulation for the treatment of vertebral subluxations  
10 or malpositioned articulations. The discharge summary required  
11 pursuant to this section shall be provided once, on an annual basis, to  
12 any patient who receives such procedure, adjustment or manipulation,  
13 at the time of such patient's initial visit during the calendar year to the  
14 offices of an allopathic or osteopathic physician, chiropractor or  
15 natureopath. For purposes of this section, "discharge summary" means

16 the provision of written notification to a patient of the risks associated  
17 with such procedure, adjustment or manipulation, including, but not  
18 limited to, risk of stroke, permanent disability or death and  
19 instructions upon the occurrence of medical conditions incident to  
20 those risks.

21 Sec. 502. Section 20-29 of the general statutes is repealed and the  
22 following is substituted in lieu thereof (*Effective October 1, 2010*):

23 The Board of Chiropractic Examiners may take any of the actions set  
24 forth in section 19a-17 for any of the following reasons: The  
25 employment of fraud or deception in obtaining a license, habitual  
26 intemperance in the use of ardent spirits, narcotics or stimulants to  
27 such an extent as to incapacitate the user for the performance of  
28 professional duties, violation of any provisions of this chapter or  
29 regulations adopted [hereunder] pursuant to this chapter, engaging in  
30 fraud or material deception in the course of professional services or  
31 activities, failure to provide a written discharge summary upon the  
32 performance of a procedure, manipulation or treatment pursuant to  
33 section 501 of this act, physical or mental illness, emotional disorder or  
34 loss of motor skill, including, but not limited to, deterioration through  
35 the aging process, illegal, incompetent or negligent conduct in the  
36 practice of chiropractic, failure to maintain professional liability  
37 insurance or other indemnity against liability for professional  
38 malpractice as provided in subsection (a) of section 20-28b, or failure to  
39 provide information to the Department of Public Health required to  
40 complete a health care provider profile, as set forth in section 20-13j.  
41 Any practitioner against whom any of the foregoing grounds for action  
42 under said section 19a-17 are presented to said board shall be  
43 furnished with a copy of the complaint and shall have a hearing before  
44 said board. The hearing shall be conducted in accordance with the  
45 regulations established by the Commissioner of Public Health. Said  
46 board may, at any time within two years of such action, by a majority  
47 vote, rescind such action. The Commissioner of Public Health may  
48 order a license holder to submit to a reasonable physical or mental  
49 examination if his physical or mental capacity to practice safely is the

50 subject of an investigation. Said commissioner may petition the  
51 superior court for the judicial district of Hartford to enforce such order  
52 or any action taken pursuant to section 19a-17.

53 Sec. 503. Section 20-40 of the general statutes is repealed and the  
54 following is substituted in lieu thereof (*Effective October 1, 2010*):

55 Said department may refuse to grant a license to practice  
56 natureopathy or may take any of the actions set forth in section 19a-17  
57 for any of the following reasons: The employment of fraud or material  
58 deception in obtaining a license, habitual intemperance in the use of  
59 ardent spirits, narcotics or stimulants to such an extent as to  
60 incapacitate the user for the performance of professional duties,  
61 violations of the provisions of this chapter or regulations adopted  
62 [hereunder] pursuant to this chapter, engaging in fraud or material  
63 deception in the course of professional services or activities, failure to  
64 provide a written discharge summary upon the performance of a  
65 procedure, manipulation or treatment pursuant to section 501 of this  
66 act, physical or mental illness, emotional disorder or loss of motor skill,  
67 including, but not limited to, deterioration through the aging process,  
68 illegal, incompetent or negligent conduct in his practice, failure to  
69 maintain professional liability insurance or other indemnity against  
70 liability for professional malpractice as provided in subsection (a) of  
71 section 20-39a, or failure to provide information to the Department of  
72 Public Health required to complete a health care provider profile, as  
73 set forth in section 20-13j. Any applicant for a license to practice  
74 natureopathy or any practitioner against whom any of the foregoing  
75 grounds for refusing a license or action under said section 19a-17 are  
76 presented to said board shall be furnished with a copy of the  
77 complaint and shall have a hearing before said board in accordance  
78 with the regulations adopted by the Commissioner of Public Health.  
79 The Commissioner of Public Health may order a license holder to  
80 submit to a reasonable physical or mental examination if his physical  
81 or mental capacity to practice safely is the subject of an investigation.  
82 Said commissioner may petition the superior court for the judicial  
83 district of Hartford to enforce such order or any action taken pursuant

84 to section 19a-17."